

Honorable Historic Conservation Board
Cincinnati, Ohio

March 25, 2013

**SUBJECT: LOCAL HISTORIC LANDMARK
AND HISTORIC SITE DESIGNATION
GOETZ HOUSE 151 W. MCMILLAN STREET
CUF**

BACKGROUND: A proposed development threatens to demolish the Goetz house located at 151 West McMillan. A proposed seven stories high apartment complex is proposed to be built on the site of the Goetz House and extend to the corner of Clifton Street. The CUF Neighborhood Association is requesting the Goetz House at 151 West McMillan Street be designated a local historic landmark and a historic site.

SIGNIFICANCE: The Goetz house (ca. 1892) is the residence most strongly associated with the life and work of John Goetz, Jr., civic leader and Clifton Heights developer, who in the course of his work with the family business, the Christian Moerlein Brewing Company helped to establish the neighborhood and the company, a world leader at the time.

The Goetz House is also important for its architecture as the last surviving example of what was once a cluster of grand houses in the Clifton Heights business district. 151 West McMillan Street is a rare example of an ornate high-style Queen Anne structure built with modern conveniences of the time using quality materials and construction. See the attached designation report.

DISCUSSION:

According to Chapter 741 of the Cincinnati Municipal Code (Historic Conservation) certain findings must be made before a historic structure can be designated by City Council. The structure must be found to have historic significance. Historic significance means that the attributes of a district, site or structure that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and:

1. That are associated with events that have made a significant contribution to the broad patterns of our history; or
2. That are associated with the lives of persons significant in our past; or
3. That embody the distinctive characteristics of a type, period or method of construction, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
4. That has yielded, or may be likely to yield information important in history or prehistory.

The Goetz house has historic significance as defined according to Chapter 741 by criteria 1, 2, and 3. We need to preserve the Goetz House. In the CUF community the Goetz

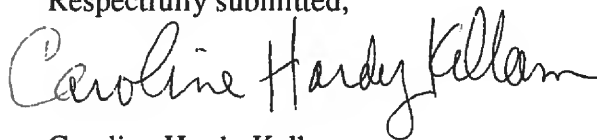
house is a rare surviving example of an ornate high-style Queen Anne structure; all other similar structures are gone. It was the home of a prominent figure in the history of Cincinnati and the community of CUF, and is a distinctive component near the gateway to the Old Town business district dating to 1900. It is a significant structure within the business district boundaries John Goetz originally planned in order to create a vibrant community. The Goetz building sits east of the gateway to the Old Town business district, an area the community has designated as worthy of rehabilitation and as a center for local businesses. See the attached designation report.

Staff has reviewed the designation report and the applicant has used the wrong reference with regards to Chapter 741 of the Cincinnati Municipal Code. Staff requests the applicant correct the reference to Chapter 741 of the Municipal Code in the designation report and instead reference Chapter 1435 (the appropriate sections) of the Cincinnati Zoning Code regarding historical significance criteria outlined in 1435-07-1 (a) and (b).

RECOMMENDATION: Staff recommends the Historic Conservation Board take the following actions:

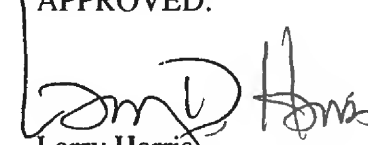
1. Instruct the applicant to correct the reference to Chapter 741 of the Municipal Code in the designation report and instead reference Chapter 1435 (the appropriate sections) of the Cincinnati Zoning Code regarding historical significance criteria outlined in 1435-07-1 (a) and (b) and
2. Recommend to the City Planning Commission and to City Council the local historic landmark designation and the historic site designation of the Goetz House at 151 W. McMillan Street, as described in the "Goetz House Designation Report" and platted on the accompanying map, including adoption of the "Goetz House School Historic Conservation Guidelines".

Respectfully submitted,



Caroline Hardy Kellam
Senior City Planner

APPROVED:


Larry Harris
Urban Conservator

**Designation Report for
The Goetz House at 151 West McMillan Street**
Submitted by the CUF Neighborhood Association
January 29, 2013



Background

A proposed development threatens to obliterate the Goetz house located at 151 West McMillan. It is now reasonable that our community seeks to preserve the Goetz House for not only its architecture and history associated with the Moerlein family, but also the international recognition Cincinnati Moerlein Brewery still receives today. At a proposed seven stories high and covering an entire city block, the apartment complex will extend the “concrete canyon” created by the U-Square project. This proposed development heads west to raze the building at the corner “gateway” to the Old Town Business District at Clifton and McMillan and then south onto residential SF2 zoned Lyon Street and would also raze four structures. The CUF Neighborhood Association wishes to make The Goetz House a historic landmark and engage in considerate future planning that gives thoughtful consideration to the surrounding neighborhood history, architecture, sense of place, and scale.

Research

Archival research was conducted at the Public Library of Cincinnati and Hamilton County, the Cincinnati Preservation Association, Privately held archives of Cincinnati history, Cincinnati Historical Society, U.S. Census data and through printed and online resources.

Statement of Significance

The Goetz house is the residence most strongly associated with the life and work of John Goetz, Jr., civic leader and Clifton Heights developer, who in the course of his work with the family business, the Christian Moerlein Brewing Company helped to establish the neighborhood and the company, a world leader at the time. This is where he lived while he helped direct the company and served as an admired civic leader. The Goetz house is a rare surviving example of urban mansions associated with the development of Cincinnati hilltops, and the establishment of the neighborhood around the University of Cincinnati presently known as Clifton Heights. The house is a community landmark and the last survivor of a group of grand homes in the Clifton Heights business district. The structure retains a high degree of integrity as it retains all original materials and many original architectural elements.

The Goetz house was built as a part on an integrated designed community. It was well thought out and planned around the modern conveniences of the times and the new Business District, doctors office, fire station, later police stables, and Fairview Elementary School for German families. It was built to blend with the nearby commercial buildings; it now remains as a prominent feature near the four-corner eastern gateway to the Old Town business district. This was part of the complete community Mr. Goetz worked to establish with other prominent landowners of the area. There are only two remaining examples of turn of the century structures at this intersection leading into the Old Town business district, now isolated by the towering U-square development less than a block away.

Historic Narrative

Clifton Heights

The area now known as Clifton Heights was originally the eastern half of Fairview. The land that became Fairview was included in the Special Road District of the Millcreek Township, which Cincinnati annexed in 1849. Bounded by Vine Street on the east, McMillan and Straight Streets on the north, the Miami and Erie Canal (now Central Parkway) to the west, and Emming Street and Clifton Avenue on the south, Fairview was originally known as “Riddle’s Hill,” likely in recognition of Colonel John Riddle, an early landholder in the area.

In the late 1880s Isaac J. Miller, Christian Moerlein, John Goetz, Jr., Gustav Tafel, Phillip Volkert and other major area landholders began to utilize their considerable political influence to improve on their investments. Between the mid-1880s and the mid-1890s services including a public school, a firehouse, police station, water and gas lines, sewers, street improvements and an inclined railway for streetcars were constructed in Fairview. Churches, the university campus, parks and businesses were established as well. Landowners used these amenities to draw potential homebuyers to the area and to promote the sale of their properties. The creation of a vibrant and desirable neighborhood was a goal of theirs that succeeded and continues into the present.

Two inclined plane railways began service to Clifton Heights and Fairview in the late 19th century: the Elm Street or Bellevue Incline in 1876, followed by the Fairview Incline in 1894. During the 1870s and 1880s large hilltop estates were subdivided and platted for building lots, and houses were built in fashionable styles for middle- and upper-middle-class families. The houses of Ohio Avenue Cluster A are part of the Barr, Graham & Lewis Subdivision, platted prior to 1883 and developed for the most part circa 1880. The 1883 city atlas indicates several houses on Ohio Avenue north of Parker had been built by that date.

Businesses were housed in three to five-story brick buildings in the Italianate, Mansard, Queen Anne and Classical Revival styles, with ground-floor storefronts and upper-floor apartments. A single remaining cluster of Italianate and Mansard buildings at Calhoun and Scioto streets in Clifton Heights gives a sense of the district’s original streetwall. On the western edge of the street is the last remaining intact square of late 19th/early 20th century commercial structures now referred to as the Old Town business district. The experience of driving through the newly constructed U-Square development into this section is now a unique shift in time that creates awareness of the architectural details and scale of this group of buildings. They are situated across the street from the Hughes High School campus (circa 1910) recently restored at a cost of nearly \$6,000,000.

Much of Clifton Heights was developed residentially in a tightly gridded, high-density plan reflective of the fact that the new population was not entirely of the upper middle class who had earlier taken to the hilltops. The late 1880s and 1890s development was on slightly larger lots indicative of a desire for more spacious living.

John Goetz, Jr. and 151 W. McMillan Street

John Goetz, Jr. was born in 1855 and graduated from the Cincinnati Law School in 1876. During a successful career as a lawyer he was appointed to Assistant City Solicitor under Judge Clement Bates where he served for two years. After resuming his private practice he was retained as legal advisor for the Christian Moerlein Brewing Company, one of the largest breweries in the world at the time. He soon became Vice-President of the company and continued there until his death. He was involved in a number of civic and social organizations and received an appointment to the Board of Fire Commissioners in 1888 serving as president for two terms. He was a member of the Exposition Committee and served a term as president of the Board of Trade.

In 1881, Mr. Goetz married Elizabeth "Lizzie" Moerlein, the daughter of Christian Moerlein. It has been said that as a wedding gift, Christian had a home built for the couple at 151 West McMillan Street. Research is still ongoing to verify if this is indeed true. We are also exploring several other historical aspects that may be added before this case is reviewed by the Historic Conservation Board.

We have discovered a deed from 1852 showing three parcels of land owned by Ms. Sarah Ammen. There were several structures on parcel number two, at a significant setback from the location of the Goetz House. The 1892 Williams Directory has John Goetz Jr living at "McMillan near Clifton Avenue." This suggests that the Goetz house was built to completion by 1892, or he was living in the existing structure located on parcel number two (the middle lot) as the Goetz House was being constructed. The Williams Directories for 1893 and 1895 show him living at 1315 McMillan. The 1897 Directory lists John Goetz Jr living at 151 McMillan. This shows that McMillan Street was renumbered sometime between 1895 and publication of the 1897 directory. The Goetz's raised three children there. Father-In-Law Christian Moerlein's house was not far away, allowing him to visit frequently, and is still located at 2430 Ohio Avenue. After John Goetz died in 1899, his wife continued to live at the McMillan Street address until 1925. It eventually became the home and office of pediatrician Dr. Charles Beaman. During World War II, the mansion was used to house soldiers studying at UC.

The Goetz House is important because it is the last surviving example of what was once a cluster of grand houses in the Clifton Heights business district. It recalls a time when the neighborhood had high concentrations of successful German immigrants. It is significant because it conveys a strong sense of place, maintains associations with a long-standing popular business and with neighborhood history because of its connection with a prominent local family. It is a neighborhood landmark. Although it has been altered, the house's original style and design are still evident and the addition could be removed without damage to the original structure. Reuse of the facility also needs to be explored since it is currently configured as a restaurant and could again become a premier location for a similar business. It was included in the 1978 Cincinnati Historic Inventory by the Miami Purchase Association and the City Planning Commission.

Revitalization of the business district has been a nine-year process. The *Old Town Gateway* project was completed in 2009 by the Clifton Heights Urban Redevelopment Corporation (CHCURC). "Providing the first impression for visitors coming from the North and West, the Clifton Avenue Gateway is a tremendously important first impression that for years had been neglected. The new Gateway provides some relief from the street with additional landscaping as well as new signage welcoming

residents and visitors.” Another CHCURC effort, the *Facade Improvement Program*, was in place from 2003-2009. “\$350,000 in funding was provided by the City of Cincinnati and Cincinnati Neighborhood Business Districts United that directly leveraged over \$1 million in private investment.” 28 different businesses and properties participated in the program including 151 and 169 West McMillan. “The \$1.5 million *Old Town Streetscape* was funded by the City of Cincinnati and Cincinnati Neighborhood Business Districts United and completed in Fall 2012.”

Description of Property

The Goetz House, 151 W. McMillan Street

151 West McMillan Street is a rare example of an ornate high-style Queen Anne structure built using quality materials and construction. When the building was subsequently converted to Lenhardt’s restaurant in 1965, a painting was found on the ceiling of the music room. It depicts a sky scene featuring cherubs holding a symbolic beer ingredient, a sprig of hops. The original front entrance and tiles are still intact as well as the carved oak and cherry woodwork, detailed brass door hardware, large pocket doors of oak and cherry and pre-Rookwood ceramic fireplaces. It has a third-floor ballroom. The original front porch pillars are located in what is now an adjoining beer garden.

Queen Anne style houses are irregular in plan, asymmetrical in form, and have hip or multi-gabled roofs, or a combination of both. Towers, dormer windows, stained glass windows, bay windows, turrets (small towers at the corners of buildings), encircling porches, and tall chimneys with decorative brick patterns are typical. They often have windows of many different designs. Elements of Gothic Revival, Stick Style, Eastlake, and Classic architecture may be included in houses of the style.

The Queen Anne style became fashionable in the United States in the late 1870s and reached Cincinnati around 1880. Among neighborhoods that have large numbers of houses of the style are Northside, Avondale, Walnut Hills, and Clifton. These areas were largely developed in the 1880s and 90s because of the expansion of the electric streetcar system.

Required Findings

According to Chapter 741 of the Cincinnati Municipal Code (Historic Conservation) certain findings must be made before a historic structure can be designated by City Council. The structure must be found to have historic significance. Historic significance means that the attributes of a district, site or structure that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and:

1. That are associated with events that have made a significant contribution to the broad patterns of our history; or
2. That are associated with the lives of persons significant in our past; or

3. That embody the distinctive characteristics of a type, period or method of construction, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
4. That have yielded, or may be likely to yield information important in history or prehistory.

The Goetz house has historic significance as defined according to Chapter 741 by criteria 1, 2, and 3. We need to preserve the Goetz House. In the CUF community the Goetz house is a rare surviving example of an ornate high-style Queen Anne structure, all other similar structures are gone. It was the home of a prominent figure in the history of Cincinnati and the community of CUF, and is a distinctive component near the gateway to the Old Town business district dating to 1900. It is a significant structure within the business district boundaries John Goetz originally planned in order to create a vibrant community. The Goetz building sits east of the gateway to the Old Town business district, an area the community has designated as worthy of rehabilitation and as a center for local businesses.

Summary of Findings

The designation of the Goetz house property meets the requirements of Chapter 741 of the Cincinnati Municipal Code (Historic Conservation). The documentation in this designation report provides conclusive evidence that all required findings may be made for the proposed designation. In addition, the proposal is in compliance with the appropriate comprehensive plans for the city.

Planning Considerations

In addition to the above-required findings, Chapter 741 of the Cincinnati Municipal Code (Historic Conservation) lists other considerations that must be weighed when historic designation is considered:

1. The relationship of the proposed designation to the comprehensive plans of the city and the community in which the proposed district is located.

The comprehensive plan for the area is the "Clifton Heights, University Heights, Fairview Plan, 1988." And also "The Clifton Heights Urban Renewal Plan" 2001.

- a. The Plan's "Neighborhood Preservation" section labeled "Introduction" (p. 35) reads in part, "In planning for the future there must be an understanding of the past, a full appreciation for how we got here. All present residents share at least one thing in common, they are all equally owners of the heritage of the neighborhood; they all share the neighborhood's past. A feeling for the history of a neighborhood can lead to a sense of cohesiveness among the residents of today, an understanding that they, the residents, now all occupy the same space at the same time."

Relationship of the Proposed Designation to Community Plan: The proposed designation for the Goetz house is consistent and compatible with the Neighborhood Plan's Goals and Objectives for preserving historic buildings, districts, and properties.

The proposed designation is consistent and compatible with the plan's stated goal of avoiding the destruction of these recognized historical buildings and consequential loss to the community and the City.

- b. The Plan's Neighborhood Preservation section labeled "Goals and Objectives, 1." (p. 37) reads in part, "The community's heritage of architecturally significant buildings should be maintained and rehabilitated."

Relationship of the Proposed Designation to Strategic Plan: The proposed designation for the Goetz House is consistent and compatible with the CUF Plan's stated goal of preserving these buildings.

- c. The Plan's Neighborhood Preservation" section labeled "Goals and Objectives, 1.2.1" (p. 37) reads in part, "Identified historic buildings should be placed on the National Register and/or receive a local historic or structure designation."

Relationship of the Proposed Designation to Strategic Plan: The proposed designation for the Goetz House is consistent and compatible with the CUF Plan's Goal 1.2.1 for giving historic designation to local historic buildings.

- d. The Plan's "Neighborhood Preservation" section labeled "Goals and Objectives, 1.2.2" (p. 37) reads in part, "The Neighborhood Historical Society should closely monitor both public and private activities to discourage demolition or defacement of significant historic structures."

Relationship of the Proposed Designation to Strategic Plan: The proposed designation for the Goetz House is consistent and compatible with the CUF Plan's stated goal of avoiding the destruction of these recognized historical buildings and consequential loss to the whole community.

- 2. The effect of the proposed designation on the surrounding area and economic development plans of the city.

Historic designation of the Goetz house will have a positive impact on the community and economic development plans of the city. Specifically:

- a. Recognition and protection of this historic landmark will be gained through historic designation. Protection of the Goetz house will preserve the residence most strongly associated with the life and work of John Goetz, attorney, developer

and admired civic leader who in the course of his work with the family business, the Christian Moerlein Brewing Company, helped to establish the Clifton Heights neighborhood and the company, a world-class business at the time. It will preserve a cohesive business district gateway set apart by its period architecture and part of a recent revitalization effort by the community redevelopment corporation.

- b.
 - c. Protection of the Goetz house will aid in the maintenance of the area's general desirability, and save a key architectural gem in a neighborhood prized for its existing stock of well-designed, beautiful, and unique residential and commercial structures.
 - d. The Historic Conservation Board, with community input, will review exterior building alterations and additions to ensure that such modifications are compatible with the designation's distinctive character.
 - e. Review by the Historic Conservation Board will be necessary before the Goetz house would be razed.
 - f. The designation will qualify the property owner for special zoning exceptions and variances, where deemed necessary and appropriate by the Historic Conservation Board.
- 3. Such other planning considerations as may be relevant to the designation.

To assist in adaptive reuse or preservation of the Goetz House, the owner can apply for the Ohio Historic Preservation Tax Credit, but first must achieve local designation via a Certified Local Government to be eligible to apply.

Due to great potential for immediate demolition without local historic designation, achieving a timely decision is urgent.

References

Centennial History of Cincinnati and Representative Citizens, Volume 2, By Charles Theodore Greve, 1904;

Williams Cincinnati Directories, Public Library of Cincinnati and Hamilton County;

Clifton Heights, University Heights, Fairview Community Plan, 1988;

Radel, Cliff. "A painful Auf Wiedersehen to Lenhardt's." *cincinnati.com*. 9 February 2013;

CHCUTC Web site, Projects, www.chcUTC.org;

City of Cincinnati Dept. of Planning and Buildings web site,
www.cincinnati,oh.gov/planning/historic-conservation/major-architectural-styles;







Goetz House 151 West McMillan Street Historic Conservation Guidelines

General Terminology

Within the context of these historic conservation guidelines, primary facades of the Goetz House are defined as the north, east and west building facades. The rear (south) elevation is defined as a secondary façade.

Rehabilitation

Intent and General Guidelines

These guidelines are intended to ensure that rehabilitation will maintain significant features of the Goetz House. Guidelines are intended not as hard-and-fast rules but to be used by the Historic Conservation Board as a guide to assess the compatibility and appropriateness of proposed rehabilitation changes. Reviews by the Board are limited to exterior changes proposed for the house. Repair and maintenance not changing significant features and clearly complying with the intent of these guidelines does not require review by the board. Alterations made to the interior are not the purview of the Historic Conservation Board, and are not subject to their review.

The following overarching approaches are recommended:

1. **Repair and Maintenance:** Ordinary repair and maintenance of like and kind to match the original construction, where visible and which does not change the appearance of the buildings, is acceptable under these guidelines. Rehabilitation may include preservation, restoration, reconstruction, or a combination of these, as appropriate and reasonable for the building.
2. **Maintenance:** Existing visible features that contribute to the overall character of the building in good condition shall be maintained and where possible, preserved or conserved. Damaged visible features which can be repaired should be repaired rather than replaced whenever possible.
3. **Replacements:** Replacements of significant features badly damaged, deteriorated beyond reasonable repair, or missing shall sensitively harmonize with characteristics of the original feature. Replication is appropriate, but is not essential.

Specific Guidelines

The following specific approaches to elements, features, and visible components are recommended:

1. **Materials:** Materials for visible features that are badly damaged, deteriorated beyond reasonable repair, or missing shall be replaced with materials or components that match as closely as possible the style, shape, color, treatment, and texture of element replaced. Composition, type of joint, size of units, visible measures, placement, and detailing should be appropriate for the building. Synthetic materials, where closely matching existing characteristics, may be considered subject to review by the board.
2. **Door and Window Openings:** Among important features of this building are its window and door openings. The size and location of openings are an essential part of the overall design and an important feature in this building's architecture. Original wall openings shall not be significantly altered or filled on primary facades. On secondary facades, original wall openings should not be significantly altered without consideration of its impact to the overall character of the original design.
3. **Doors and Window Sash:** Modern replacement windows have been installed in most of the Goetz House's window openings. When replacement of windows becomes necessary, new windows shall be appropriate for the house in scale, configuration, style, size, and color. Minor variations in mullion and sash frame dimensions of replacement windows may be considered. Aluminum replacement windows are considered inappropriate. Vinyl sashes shall not be used. Aluminum or wood storm sashes can be considered. If replacement of doors becomes necessary, new doors on primary facades should match originals in scale, materials, size, type, kind, style, color, and finish as closely as possible.
4. **Shutters:** Where shutters are missing or damaged on the building, they shall be replaced using shutters of the same configuration, scale, color, and with operating hardware. Some synthetic materials including fiberglass or composite materials may be considered subject to review by the board.
5. **Ornamentation:** Significant architectural features including transoms, door and window trim, surrounds, cornices, brackets, or other ornamental elements shall be preserved or conserved whenever possible. Do not make replacements or substitutions of different scale, size, design, or incompatible materials. Replace ornamentation to match originals in character, scale, configuration, style, size, texture, and color. Some synthetic materials including fiberglass castings or composite materials may be considered subject to board review.

6. **Roofs:** Chimneys and other architectural features that define the roofline of the building shall be preserved. Vents, skylights, and rooftop utilities should be inconspicuously placed or screened where necessary.
7. **Painting:** Repaint building elements that have been historically painted. Stone and masonry that has been painted can be repainted. Stone and masonry that has not been painted in the past should not be painted. Use colors that are appropriate to the building's age, history, and style. Where appropriate, match colors that have historically applied to the building.
8. **Outside Attachments:** Exterior light fixtures should be appropriate to the style of the building, or simple and contemporary. Where exterior light fixtures of a decorative nature consistent with the overall building history exist, repair, preserve, or reconstruct whenever possible and feasible to do so. Mercury vapor, high-pressure sodium, and other light sources that impart distortions of color when illuminated are not appropriate to primary facades. Exterior light fixtures should be mounted or constructed so as not to cast undue glare onto neighboring houses or damage the building on which they are mounted.
9. **Awnings:** Fabric awnings of canvas or vinyl-coated fabric are permitted, as long as they do not cover or require the removal of any original architectural feature. Internally illuminated awnings are not acceptable.
10. **Signs:** Signs should be designed for clarity, legibility, and compatibility with the building or property on which they are located. Signs on the house shall be limited in size and should not cover or obscure architectural features. Signs shall not be externally illuminated.

Additions and Exterior Alterations

Intent and General Guidelines

1. **Additions:** Additions shall follow new construction guidelines, codes, and regulations. Any addition shall be compatible in character with the original building, with sensitivity to existing massing and scale, site, and appearance within the context of the original building. Additions should be sympathetic, may be complimentary, but need not be imitative in design. Additions should be designed to relate architecturally, not overwhelming the original building.
2. **Alterations:** Alterations shall follow construction guidelines for alterations, codes, and regulations. Alterations shall not change or alter significant architectural features on primary facades. On secondary facades, alterations should be designed to minimize impact on the overall character of the façade on which the alteration occurs. In the past the Goetz House's front porch was enclosed with brick and glass. This addition is out of character with the house and

is considered noncontributing. Any future alterations to this addition shall bring it closer to compliance with these guidelines.

3. **Appropriateness:** The appropriateness of design solutions for additions and alterations should include the following:
 - a. How well the proposed design for the addition or alteration relates to the original building and neighboring buildings.
 - b. How closely the proposed addition or alteration meets the general and specific intentions of these guidelines.

Demolition

Demolition regulations for the designated property are set forth in Chapter 1435 of the City of Cincinnati Zoning Code. Specifically, Section 1435-09: Alterations and Demolitions; Certificates of Appropriateness; Minimum Maintenance, governs; see below.

The Board may approve or approve with conditions an application for a Certificate of Appropriateness when it finds either:

- (a) That the property owner has demonstrated by credible evidence that the proposal substantially conforms to the applicable conservation guidelines; or
- (b) That the property owner has demonstrated by credible evidence that the property owner will suffer economic hardship if the Certificate of Appropriateness is not approved.

In determining whether the property owner has demonstrated an economic hardship for purposes of (b) above, the Historic Conservation Board shall consider all of the following factors:

- (i) Will all economically viable use of the property be deprived without approval of a Certificate of Appropriateness;
- (ii) Will the reasonable investment-backed expectations of the property owner be maintained without approval of a Certificate of Appropriateness; and
- (iii) Whether the economic hardship was created or exacerbated by the property owner.

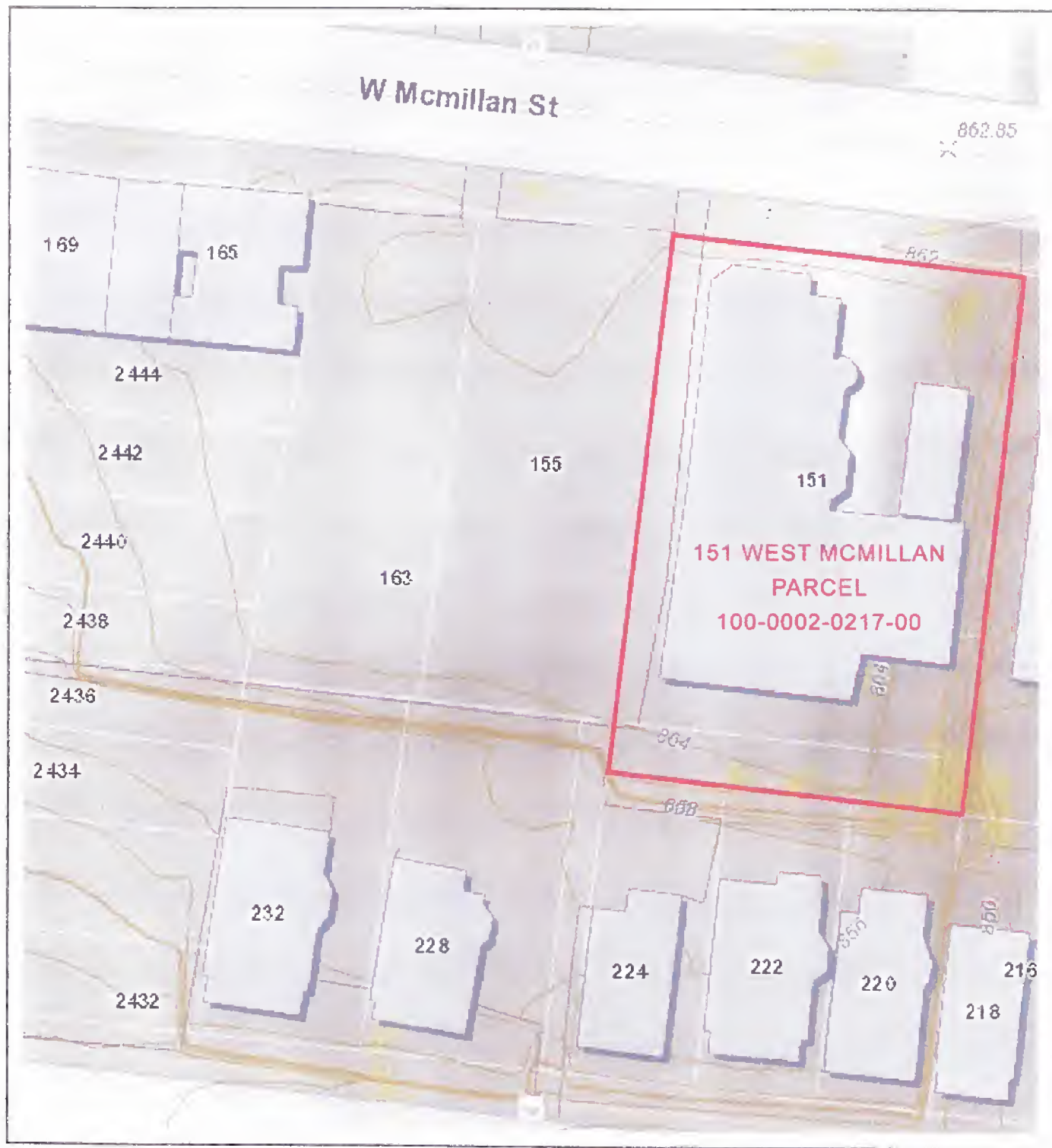
In evaluating the above factors for economic hardship, the Historic Conservation Board may consider any or all of the following:

- (aa) A property's current level of economic return;
- (bb) Any listing of property for sale or rent, price asked, and offers received, if any, within the previous two years, including testimony and relevant documents;
- (cc) The feasibility of alternative uses for the property that could earn a reasonable economic return;

- (dd) Any evidence of self-created hardship through deliberate neglect or inadequate maintenance of the property;
- (ee) Knowledge of landmark designation or potential designation at time of acquisition; and/or
- (ff) Economic incentives and/or funding available to the applicant through federal, state, city, or private programs.

Whenever a Certificate of Appropriateness is required pursuant to the provisions of this section, the Director of City Planning and Buildings may not issue a building permit until a Certificate of Appropriateness has been approved or approved with conditions. In the event that the standards in the Section 1435-09-2 conflict with any standards set forth in any conservation guidelines, the standards set forth herein shall govern and control.

(Ordained by Ord. No. 217-2012, §1, eff. July 20, 2012)



151 W McMillan

— PROPERTY BOUNDARY

CINCINNATI city of

Hamilton County  Ohio

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